

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-222 (NEB/TNL)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) **MOTION TO CONTINUE TRIAL**
v.)
)
2. AHMED YASIN ALI and)
3. KHADAR JIGRE ADAN)
)
Defendant.)

The United States of America, by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Joseph H. Thompson and Harry M. Jacobs, Assistant United States Attorneys, submits the following motion to continue the trial that is currently scheduled to begin on August 19, 2024.

On September 13, 2022, defendants were charged in a 3-defendant indictment with conspiracy to commit wire fraud, wire fraud, conspiracy to commit federal programs bribery, federal programs briber, and money laundering. Dkt. #1. The indictment is one of several cases arising out of the investigation into the scheme to fraudulently obtain Federal Child Nutrition Program by individuals and entities under the sponsorship of Feeding Our Future.

In light of the scope of the investigation and scheme, the Court designated the case as complex under the Speedy Trial Act. Dkt. #41. Defendant Liban Yasin Alishire pled guilty for his role in the scheme on January 24, 2023. Dkt. ##69-70. On March 27, 2024, the Court set the trial to begin on August 19, 2024. Dkt. #148. The

deadline for the government to disclose their exhibits and witness list is July 15, 2024 and the pretrial briefing and motions are due on July 29, 2024.

On April 22, 2024, a trial of seven defendants began in the related case *United States v. Abdiaziz Farah, et al.*, 22 CR 124 (NEB). Counsel for Mr. Adan, William Mauzy, represents a co-defendant in that case. One week prior the start of the trial, due to unexpected and extenuating circumstances, the Court granted a continuance for that defendant.

That trial lasted seven weeks. On June 2, 2024—the night before closing arguments were set to conclude—an individual approached the house of a juror and left a gift bag containing \$120,000 with instructions that there would be more if the juror said “not guilty” after deliberations. The juror immediately called 911 to report the incident. The juror was ultimately excused from the trial. The jury began its deliberations on June 4, 2024. The jury reached a verdict on Friday, June 7, 2024. The jury found five defendants guilty and acquitted two defendants.

The attempted bribery incident created a significant amount of media publicity. The incident was covered by nearly all local media outlets, including the Star Tribune, MPR News, The Minnesota Reformer, and numerous local television stations.

The investigation into the attempted bribery case continues. The government is using all of its available resources to pursue that investigation—an unprecedented attack at the heart of the judicial system itself. The AUSAs who are pursuing that investigation around the clock are the same AUSAs that will try this case. Preparing

for trial in August 2024 will materially impact the ability of the government to investigate and charge individuals involved in the attempted bribery scheme.

Moreover, the government anticipates that if and when charges related to the attempted bribery are brought, it will similarly generate significant media publicity. It is possible that such publicity will occur in close proximity to the beginning of this trial. Continuing the August trial date will allow additional time between an extraordinary attack on the judicial process and the next trial in a related case and will allow the government to fully investigate the attempted bribery prior to the next trial.

Finally, the two defendants in this matter are not detained but rather have been released on personal recognizance. Indeed, during the pendency of this case, they have been afforded the ability to travel internationally for multi-week trips (Mr. Adan has traveled abroad on three trips and Mr. Ali has traveled abroad once). Their liberty interests are not at issue.

For all of these reasons, and in light of the extraordinary circumstances involving the attempted bribery of a sitting juror in a related case, the government respectfully requests that the Court continue trial in this matter to a date to be set in the future.

Respectfully Submitted,

Dated: June 12, 2024

ANDREW M. LUGER
United States Attorney

BY: /s/ Joseph H. Thompson
JOSEPH H. THOMPSON
HARRY M. JACOBS
Assistant U.S. Attorneys